

Fifth Judicial District
Social Early Neutral Evaluation
Fee and Confidentiality Agreement

_____ and/Vs. _____
Court file: _____

_____ and _____, parties to this agreement have engaged
_____ and _____ to perform a Social Early Neutral
Evaluation subject to the following terms:

Early Neutral Evaluation (ENE) is a short term, confidential evaluative process designed to facilitate prompt dispute resolution in Family Court matters.

1. It is understood that all ENE sessions will occur between _____,
_____, and the parties present with counsel for each party.
2. Confidentiality. The parties will not:
 - a. Electronically record any of these proceedings without written consent of all participants.
 - b. Subpoena the evaluators or any records containing the notes or impressions of the evaluators;
 - c. Evidence produced during the ENE process that is not otherwise discoverable remains confidential. The parties and counsel are prohibited from attempts to obtain through discovery or use as evidence any records deemed to be confidential under the ENE process.
 - d. The parties will not subpoena the evaluators including but not limited to Members of the evaluator's staff, any records, or documents of the evaluator in any legal proceedings of any kind. If so called or subpoenaed, the evaluator may refuse to testify or produce the requested documents.
 - e. Should any party attempt to compel such testimony or production, such party shall be liable for, and shall indemnify the evaluator against any liabilities, costs or expenses, including reasonable attorney's fees, which the evaluator may incur in resisting such compulsion

3. Fees

ENE Team members normally bill SENE services at a flat fee of \$300.00 per party per session plus a \$25 travel fee if required. All payments are due at the beginning of the SENE session directly to the neutrals.

• Exceptions:

- a. The Petitioner/Respondent, _____, has qualified for *in forma pauperis (ifp)* status with the courts; therefore, is required to pay \$_____

per SENE session (plus travel fee if applicable) to be divided equally between the two Neutral.

- b. The Petitioner/Respondent, _____, is required to pay the full \$300 fee (plus travel fee if applicable) to be divided equally between the two Neutrals.
- c. Both parties, _____ and _____, have qualified for *in forma pauperis (ifp)* status with the courts; therefore, required to pay \$_____ per party per session (plus travel fee if applicable) to be divided equally between the two Neutrals.

Services provided by the evaluators include: preparation for ENE sessions, time meeting with the parties and counsel during the ENE sessions, and drafting of any memorandum which summarizes any agreements of the parties and/or notification to the Coordinator or Judge that an agreement has been reached.

Each party shall pay to the evaluators at the beginning of the scheduled ENE session.

DATED: _____, 2016

Evaluator

Evaluator

Petitioner

Attorney for Petitioner

Respondent

Attorney for Respondent

Additional person

(ALL PARTIES PRESENT IN THE ENE SESSION MUST SIGN THIS AGREEMENT)